

Remarks

Claims 1 to 40, 42 to 46 and 48 to 53 have been canceled without prejudice or disclaimer. Claims 41 and 47 have been amended and new claims 54-68 have been added. Applicants respectfully submit that no new matter has been introduced by this Preliminary Amendment. While written description support for the claims can be found throughout the specification, exemplary specific support for these amendments and new claims can be found at Figures 10A through 17. Applicants submit that the all of the new and amended claims are drawn to the subject matter of the elected invention of Group VI.

Response to Restriction Requirement

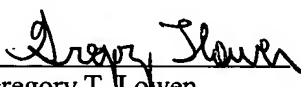
In response to the Office Action dated October 7, 2005, the period for response to which has been extended by one month by the accompanying petition and fee payment, Applicants hereby elect to prosecute the claims of Group VI (claims 41-53, drawn to a method of producing an aminosterol) without traverse. In addition, Applicants elect compound 29 (*i.e.*, compound 129 where the R⁵ groups together form an ethylene dioxy ring and R⁷ is benzoyl) as the single disclosed species for prosecution, and to which the claims shall be restricted if no generic claim is held to be allowable.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date: December 7, 2005

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel: 202-739-3000
Fax: 202-739-3001


Gregory T. Lowen
Registration No. 46,882
Direct: 202-739-5915